2nd Councilmanic District

Baltimore County, Legal Community Support Services * for the Deaf, Inc., Contract Purchaser

Petitioners

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

CASE # 89-238X

The Petitioners request approval of a Special Exception to use the herein described property for a Community Care Center, pursuant to Section 1B01.1C of the Baltimore County Zoning Regulations, (B.C.Z.R.) as more particularly described on Petitioners' Exhibit 1.

The Petitioner, Baltimore County, Maryland and Community Support Services for the Deaf, Inc., appeared and testified through their attorney, Daniel Murphy. Also appearing and testifying on behalf of the Petitioner was Mr. Chad Casserly, Baltimore Coalition for the Handicapped and Diane Hutto, Coordinator, Community Support Services for the Deaf, Inc. There were no Protestants.

The evidence and testimony in the record establish that the site is a former public school site known as the Hebbville Annex Building. The site was declared surplus property by the Baltimore County Board of Education and returned to Baltimore County. Baltimore County has declared the property surplus and has negotiated arrangements through the Department of Community Development for the Community Care Center. Community Support Services for the Deaf, Inc., is a non-profit private corporation that provides services for deaf individuals. This proposed

site which is zoned D.R. 5.5 and exist in the middle of an established residential neighborhood of predominantly single family dwelling units. The proposed site consist of 1.189 acres of ground and will serve as the headquarters and main operating facility for Community Support Services for the Deaf, Inc. The evidence and testimony also indicates that Community Support Services for the Deaf, Inc. is a private, charitable organization that is licensed by the Maryland State Department of Health and Mental Hygiene.

The proposal is for the subject site to serve as a resource and service center for individuals suffering from a hearing loss or deafness.

This particular location will provide facilities for counseling, supervision and support services for deaf individuals. The site will be physically restored, however, the exterior perimeters of the existing buildings will not be altered in any substantial manner. It is anticipated that the site will service as many as eighty (80) individuals on any given day and will have a staff of approximately twenty (20) individuals. The site will be operated on a Monday through Friday basis with most services offered during a normal business day of 8:00 A.M. through 6:00 P.M. The site complies with all requirements for parking and utilities.

Both of the witnesses for the Petitioner testified to the requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations. All of this evidence is uncontradicted as to these requirements.

The issue in the Special Exception is whether or not the requirements of Section 502 of the B.C.Z.R. have been successfully met

by the Petitioner. The cases clearly establish that ". . . the appropriate standerd to be used in determining whether a requested special exception use would have an adverse affect and, therefore, should be denied is whether there are facts and circumstances that show the particular use, proposed at the particular location, would have any adverse affect above and beyond those inherently associated with such a special exception use irrespective of its location within the zone." Schultz v. Pritts, 291 Md. 1, 432 A.2d 1319 at 1327 (1981).

". . . the applicant has the burden of adducing testimony which will show that his use meets the prescribed standards and requirements, he does not have the burden of establishing affirmatively that his proposed use would be a benefit to the community. If he shows to the satisfaction of the Board that the proposed use would be conducted without real detriment to the affect the public interest, he has met his the neighboring area and uses is, of course, material. If the evidence makes the question of disruption of the harmony of the comprehensive plan of zoning fairly debatable, the matter is probative evidence of harm or disturbance in light of the nature of the zone involved or of factors causing disharmony to the operation of the comprehensive plan, a denial of an application for a special exception use is arbitrary, capricious and illegal." (at pg.1325)

The Court went on to say in Schultz that,

neighborhood and would not actually adversely burden. The extent of any harm or disturbance to harm or disturbance or the question of the one for the Board to decide. But, if there is no

The Petitioner must only show to the satisfaction of the Zoning Commissioner that the proposed use would be conducted without real detriment to the community to meet his burden. See, Turner v. Hammond 270 Md. 41, 310 A.2d 543 (1973). When the Petitioner produces credible and probative evidence on all of the specific issues established by Section 502.1, then a special exception should be granted.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines

January 3, 1989



Dennis F. Rasmussen

Daniel Murphy, Esquire 188 E. Main Street P.O. Box 389 Westminster, Maryland 21157

> RE: Petition for Special Exception Case #88-238X Community Support Services for the Deaf, Inc.

Dear Mr. Murphy:

Enclosed please find the decision rendered in the above captioned case. The Petition has been granted, in accordance with the attached

In the event the decision rendered is unfavorable to any parcy, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, pleae feel free to contact our Appeals Clerk at 494-3391.

Zoning Commissioner

JRH:mmn

cc: Peoples Counsel Les Pittler, Director, Dept. of Community Development, Court House Ms. Diane Hutto, Coordinator, Community Support Services for the Deaf, Inc., 101 West Ridgely Road, Lutherville, Maryland 21093 Ms. M. Maureen Shanklin, Su. 4-B Community Support Services for the Deaf, Inc., 101 West Ridgely Road, Lutherville, Maryland 21093 Mr. Chad Casserly, Baltimore Coalition for the Handicapped, Suite 800, One Investment Place, Towson, Maryland

tent with the spirit and intent of the B.C.Z.R. After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted, with certain restrictions as more fully described below.

#183

PETITION FOR SPECIAL EXCEPTION

In fact, the Petitioner has shown that the proposed use would be

It is clear that the B.C.Z.R. permits the use proposed in a D.R.

The Petitioner had the burden of adducing testimony and evidence

which would show that the proposed use met the prescribed standards and

requirements set forth in Section 502.1. In fact, the Petitioner has

shown that the proposed use would be conducted without real detriment

to the neighborhood and would not adversely affect the public interest.

particular location described by Petitioner's Exhibit 1 would have any

adverse impact above and beyond that inherently associated with such a

The proposed use will not be detrimental to the health, safety or

general welfare of the locality, nor tend to create congestion in roads,

the property's zoning classification, nor in any other way be inconsis-

streets, or alleys therein, nor be inconsistent with the purposes of

special exception use, irrespective of its location within the zone.

The facts and circumstances do not show that the proposed use at the

conducted without real detriment to the community and would not adverse-

5.5 zone by special exception. It is equally clear that the proposed

Therefore, it must be determined whether the conditions as delineated

use would not be detrimental to the primary uses in the vicinity.

by Section 502.1 are satisfied by the Petitioner.

Schultz v. Pritts, 432 A2d 1319 (1981).

ly affect the public good.

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for _a Community Care Center pursuant to Section 1801.1C of the Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

	under the penalties of perjury, that I we	
	are the legal owner(s) which is the subject of the	of thei broberry
	Willell 13 the seasons	2
	Legal Owner(s):	
Contract Purchaser: COMMUNITY SUPPORT SERVICES	BALTIMORE COUNTY	E. D. 2 7
FOR THE DEAF, INC. (Type or Print Name)	(Type or Print Name)	DATE 2-/
M. Maureen Shanklest Signature M. MAUREEN SHANKLIN	Signature	250 B
101 W. Ridgely Road, Suite 4-B	(Type or Print Name)	DP
Lutherville, Maryland 21093 City and State	Signature	
Attorney for Petitioner:	·	
DANIEL MURPHY (Type or Print Name)	Address	Phone No.
Daniel Muzhy	City and State	
Signature 188 E. Main Street, P.O. Box 389	Name, address and phone number of legal owner, con tract purchaser or representative to be contacted	
Address	M. MAUREEN SHANKLIN (or Diane Hutto	
Warsington Maryland 21157		

Westminster, Maryland 2113 Name 101 W. Ridgely Road, Suite 4-B Lutherville, MD 21093 561-5888

Phone No. Attorney's Telephone No.: 876-7371 required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted. THEREFORE, IT IS ORDERED, by the Zoning Commissioner of Baltimore

County, Maryland, this 4th day of anuary, 1989 that the Petition for Special Exception to use the herein described property for a Community Care Center, pursuant to Section 1801.1C of the B.C.Z.R., in accordance with Petitioners' Exhibit 1, be and the same is hereby GRANTED, subject to the following restrictions:

> 1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original

2. The special exception granted herein is for the Petitioner only and is not transferable to any future owner or successor in title without another public hearing to review the continued special exception use.

3. The Petitioner shall provide a landscape plan to the Office of Current Planning for approval by the Baltimore County Landscape Planner and said landscape plan shall then be submitted to the Zoning Commissioner for approval. The approved landscape plan shall become a permanent part of the record and file in this matter.

4. The Petitioner is hereby placed on notice of the requirements of Section 502.5 of the B.C.Z.R. which requires that any special exception

granting a community care center is statutorily limited to a duration of five years and that the Petitioner is required as a matter of law to petition for renewal of that special exception no later than 3 months prior to the expiration of the special exception originally granted.

> ZONING COMMISSIONER OF BALTIMORE COUNTY

cc: Peoples Counsel Daniel Murphy, Esquire, 188 E. Main St., P.O. Box 389, Westminster, Maryland, 21157 Les Pittler, Director, Dept. of Community Development, Court House

Ms. Diane Hutto, Coordinator, Community Support Services for the Deaf. Inc., 101 West Ridgely Road, Lutherville, Maryland 21093 Ms. M. Maureen Shanklin, Su. 4-B Community Support Services for the Deaf, Inc., 101 West Ridgely Road, Lutherville, Maryland 21093 Mr. Chad Casserly, Baltimore Coalition for the Handicapped, Suite 800, One Investment Place, Towson, Maryland.

Z.C.O.-No. 1

Paul Los P. 6

Paul Lee Engineering Inc. 304 W. Ponnsylvania Ava. Towson, Margland 21204 301-821-5941

DESCRIPTION

HEBBVILLE ANNEX SCHOOL (1.189 ACRES +) NE CORNER OF ELMORE AND RICHWOOD AVENUES 2ND ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the east side of Richwood Avenue, said point also being located 30 feet + from the center of Elmore Avenue; thence binding along the east side of Richwood Avenue (1) N 38006' E 210.00 feet, thence leaving said east side of Richwood Avenue (2) S 51°51' E 230.00 feet, thence (3) S 38003' W 230 feet to the north side of Elmore Avenue, thence binding on the north side of Elmore Avenue (4) N 51°51' W 210.00 feet, and then by a curve to the right (5) R=20.00 feet for a length of 31.37 feet to the point of beginning.

Containing 1.189 acres of land, more or less.



J.O. #88057

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER E/S Richwood Ave., 30°- C/L Elmore Ave., 2nd Dist., 2nd Councilmanic Dist.

OF BALTIMORE COUNTY

Case No. 89-238-X

BALTIMORE COUNTY, MARYLAND, Petitioner

::::::

ENTRY OF APPEARANCE

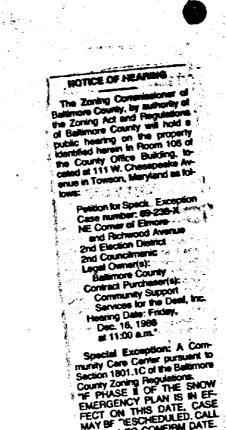
Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dater or other proceedings in this matter and of the passage of any preliminary or final Order.

People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel
Room 304, County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 28th day of November, 1988, a copy of the foregoing Entry of Appearance was mailed to Arnold Jablon, Esquire, Baltimore County Attorney, 2nd Floor, Court House, 400 Washington Ave., Towson, MD 21204, Attorney for Petitioner; and Daniel Murphy, Esquire, 188 E. Main St., P.O. Box 389, Westminster, MD 21157, Attorney for Contract Purchaser.

Peter Max Zimmerman



CERTIFICATE OF PUBLICATION

TOWSON, MD., November 38, 1988 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on no 24

THE JEFFERSONIAN,

PO 05911 nea M 20466 case 89-238-X

price \$ 43.13

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 4944XXXXXXXX 887-3353 J. Robert Haines

November 7, 1988

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Exception CASE NUMBER: 89-238-X NE Corner of Elmore and Richwood Avenue 2nd Election District - 2nd Councilmanic Legal Owner(s): Baltimore County Contract Purchaser(s): Community Support Services for the Deaf, Inc.

HEARING SCHEDULED: FRIDAY, DECEMBER 16, 1988 at 11:00 a.m.*

Special Exception: A Community Care Center pursuant to Section 1801.1C of the Baltimore County

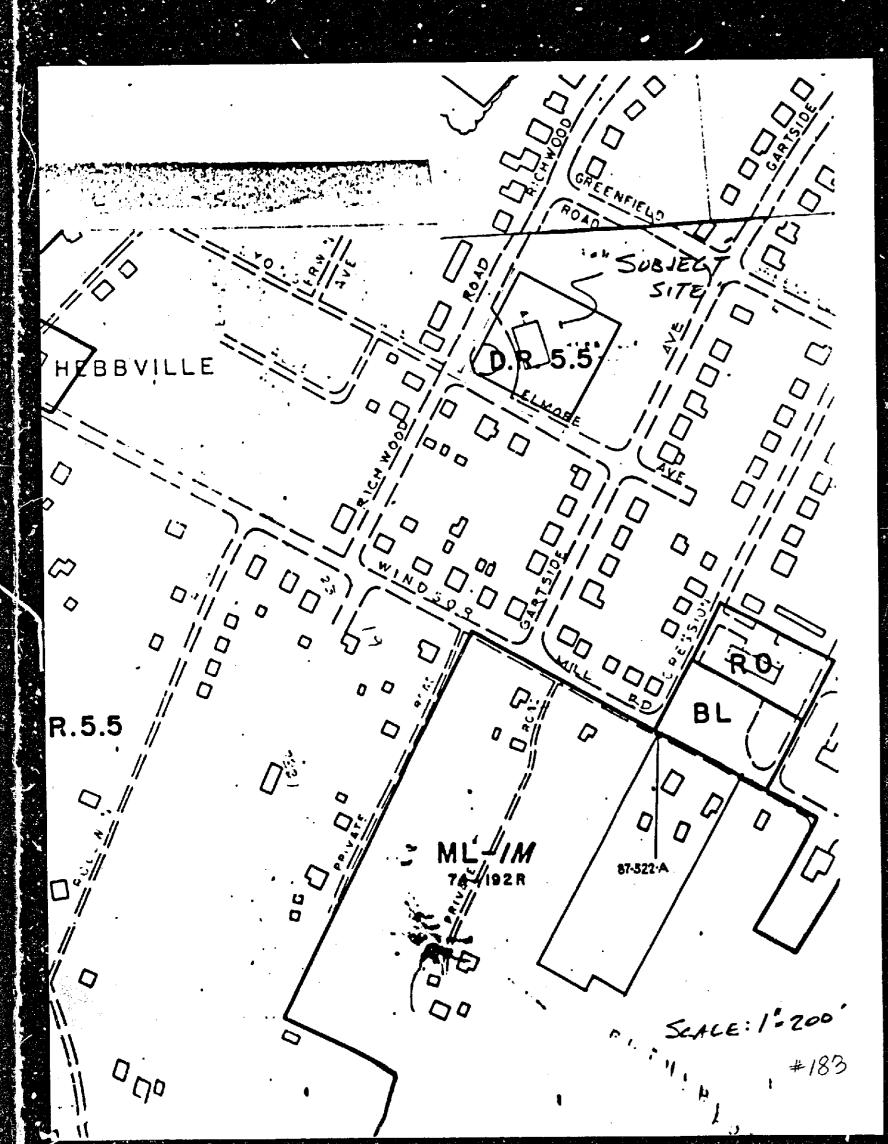
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

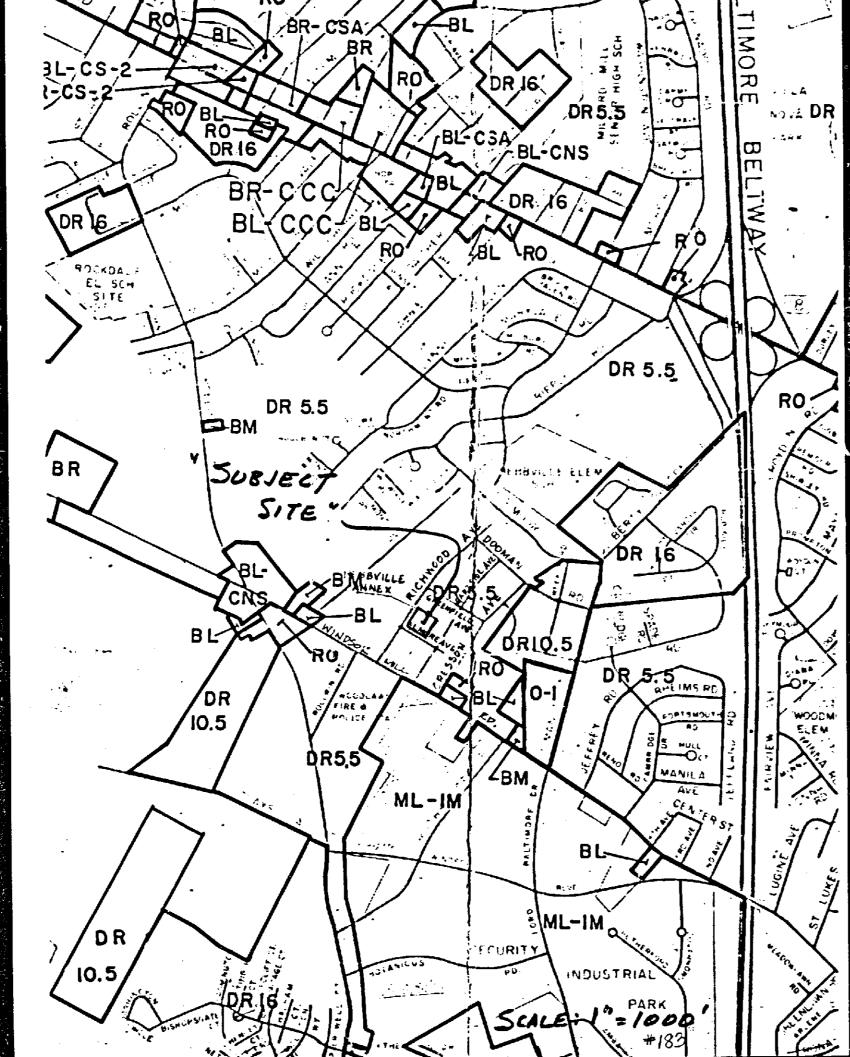
J. ROBERT HAINES Zoning Commissioner of Baltimore County

Zoning Regulations.

cc: Ms. M. Maureen Shanklin Daniel Murphy, Esq.

HEARING. SUCH HEARING WILL BE POSTPONED AND TENTATIVELY RESCHEDULED FOR THURSDAY. JANUARY 12, 1989. PLEASE TELEPHONE DOCKET CLERK AT 887-3391 TO CONFIRM DATE.





HEBBVILLE COMMUNITY ASSOCIATION 3143 GARTSIDE AVENUE BALTIMORE, MARYLAND 21207 (301) 944 -0062

August 29, 1988

Honorable Melvin G. Mintz Councilman, Second District County Council of Baltimore County Court House Towson, Maryland 21204

Dear Mr. Mintz:

On Thursday, August 18th, the Hebbville Community Association held a special meeting to discuss the use of the former Hebbville Career Center. Diane Hutto, Community Support Services for the Deaf and Chad Casserly, Coalition for Handicapped Persons, very adequately stated the proposed use of the facility as a day center for the hearing impaired. The members of our Association were extremely pleased that the building would be renovated and used for such a worthy purpose.

A motion was made by The Association to support the use of the former Hebbville Career Center in the capacity of a day center for the deaf with the remaining acres to be retained as open space available to be used by the community. The motion passed unanimously.

The members of the Hebbville Community Association wish to express our gratitiude to you, Mr. Mintz, Mr. Pittler and all who helped find a suitable use for this Hebbville landmark. We will be anxiously following the course of events until the center becomes a reality.

Sincerely,

CC: Mr. Leslie M. Pittler Ms. Diane Hutto

PETTIONER'S EXHIBIT 2



Liberty Road Community Council, Inc. 6834 ALTER STREET . BALTIMORE, MARYLAND 21207 . (301) 484-9387

September 1, 1988

Honorable Melvin G. Mintz Councilman, Second District Courty Council, Baltimore County Courthouse Towson, Maryland 21204

Dear Hel:

Along with other members of the Liberty Road Community Council, I attended the Thursday, 18th of August, meeting of the Hebbville Community Association to hear the siscussion concerning the Old Hebbville School (Hebbville Career Center).

We were very impressed with the presentation given by Chad Casserly, Coalition for mandicapped Persons and Diane Hutto, Community Support Services for the Deag. Their plans for this community based building and kindness in offering its use for the Community Associations gathering in the evening showed concern for community support and their future plan for being a good neighbor.

A motion to support the renovation of the school for a day center for the hearing impaired, using 1 acre of land, with the remainder of the 3.3 acreage being left as open space under the jurisdiction of the Department of Parks and Recreation, was duly seconded and approved by the members present.

I will be unable to attend the meeting on the 6th and 7th of September, 1988, and I am relying on you for your continued support to keep this small piece of Baltimore County

Liberty Road Community Council wishes to express our gratitude to you, Mel, Executive Rasmussen, Mr. Pittler, and others who have worked so diligently to preserve this Heobville Landmark, and in doing so helping us to continue to stabilize the community.

I will be very anxious to hear the final report and pray that the Center will



Ruth B. Swift, President Liberty Road Community Council

cc: Executive Rasmussen
Mr. Leslie M. Pittler
Ms. Diane Hutto
Mr. Chad Casserly
Mrs. Betty Your of Communities Working Together for Progress

89-238-X BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your petition has been received and accepted for filing this

Commity Support Serv. for ROBERT HAINES

Petitioner the Deaf, Inc./C.P.

Petitioner Saltimore County/L.O.

Attorney Daniel Murphy

Received by: James E. Dyer

Chairman, Zoning Plans

Advisory Committee

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3354

November 25, 1988

Advisory Committee



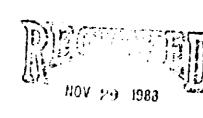
Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

ZAC - Meeting of November 15, 1988 Item Nos. 152, 183, 184, 186, 187, 188, 189, and 190.

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 152, 183, 184, 186, 187, 188, 189, and 190.

Traffic Engineer Associate II



ZONING DEER'S

COMMUNITY SUPPORT SERVICES for the DEAF, INC. (301) 561-5888

101 West Ridgely Road • Suite 4B • Lutherville, Maryland 21093

November 9, 1988

Mr. J. Robert Haines Zoning Commissioner Baltimore County Office of Planning & Zoning County Office Building, Room 406 Towson, MD 21204

Re: Hebbyille Annex - #183

Dear Mr. Haines:

Thank you for your consideration of this agency's request to waive the filing fee regarding our petition for Special Exception. I am enclosing a check for \$100 with this letter so that a hearing date may be set.

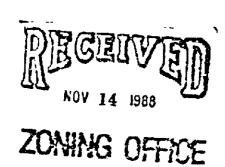
We would appreciate any support you can provide in establishing the date for the hearing as soon as possible. We have met with the neighborhood association to discuss the proposed project and were received graciously. I have enclosed copies of their support letters for your records.

Again, thank you for your assistance with this project. Your consideration is greatly appreciated.

Sincerely, Diane Hotto

Diane Hutto Coordinator of Special Projects

cc: Frank Robey J. Timothy Fagan Tim Harrison Les Pittler



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 6, 1988

111 W. Chesapeake Ave. Towson, Maryland 21204 Daniel Murphy, Esquire 188 East Main Street P.O. Box 389 Westminster, MD 21157

COUNTY OFFICE BLDG.

Bureau of

Bureau of

Industrial

Department of

Traffic Engineering

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

State Roads Commission

RE: Item No. 183; Case No. #89-238-X Petitioner: Contract Purchaser - Community Support Services for the Deaf. Legal Owner - Baltimore County Petition for Special Exception

Dear Mr. Murphy:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

> Very truly yours, Quenos & Depola Chairman

Zoning Plans Advisory Committee

JED:scj Enclosures HEBBVILLE COMMUNITY ASSOCIATION 3143 GARTSIDE AVENUE BALTIMORE, MARYLAND 21207 (301) 944 -0062 August 29, 1988

Honorable Melvin G. Mintz Councilman, Second District County Council of Baltimore County Court House Towson, Maryland 21204

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CC: Mr. Leslie M. Pittler Ms. Diane Hutto Mr. Chad Casserly

Liberty Road Community Council, Inc. 6834 ALTER STREET . BALTIMORE, MARYLAND 21207 . (301) 484-9387

September 1, 1988

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I will be very anxious to hear the final report and pray that the Center will become a reality.

> Ruth B. Swift, President Liberty Road Community Council

cc: Executive Rasmussen Nr. Leslie M. Pittler / Ms. Diane Hutto

Nrs. Betty Augoalition of Communities Working Together for Progress

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO J. Robert Haines

November 9, 1988

FROM Leslie M. Pittler SUBJECT__Hebbville Annex

LMP:CMC:ppb

I would like to support CSSD's request for an early hearing for their special exception request (Zoning Item #183).

If there is any possibility for expediting this process, it would be appreciated, since they need to access space as soon as possible, and make plans based on outcome of zoning exemption.

ZONING UTTO

COMMUNITY SUPPORT SERVICES for the DEAF, INC.

• Suite 4B 101 West Ridgely Road Lutherville, Maryland 21093

November 2, 1988

Mr. J. Robert Haines. Zoning Commissioner Baltimore County Zoning Office County Office Building, Room 400 Towson, Maryland 21204

Dear Mr. Haines.

Enclosed please find three copies of a petition for special exception (zoning item # 183 for this agency to use the Hebbville Annex. Our attorney, Dan Murphy, has already submitted the special exception plat with John Sullivan as of November 1, 1988.

I would like to request a waiver of the \$100 filing fee if possible, given this agency's non-profit status and the fact that the site is a County property. Any consideration that you might give toward this end will be greatly appreciated.

Please let me know if you require further information. Thank you again for your consideration.

> 1776 Diane T. Hutto Coordinator Special Projects

Very truly yours,

enclosures cc: Dan Murphy Frank Robey Les Pittler ADMINISTRATIVE OFFICE Tim Harrison INDEPENDENT LIVING SUPPORT PROGRAM (301) 341-3886 (voice If (301) 361-3897 (Lidd)

VOCATIONAL SERVICES PROGRAM (301) 541-4157 (voice & (43)

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494 3353 J. Robert Haines Zoning Commissioner

Mr. Chad Casserly

November 3, 1988



Daniel Murphy, Esquire 318 Cherry Chapel Road Reisterstown, Maryland 21136

> RE: Petition for a Special Exception Item No. 183 Hebbville Annex School 2nd Election District

Dear Mr. Murphy:

I understand your desire to rush this petition as quickly as possible thru an Early Hearing request letter to the Zoning Commissioner. However, as I stated on your November 1st petition appointment, this matter can proceed no further until three signed copies of the petition and the \$100.00 filing fee are received. If you have any questions, please do not hesitate to call me at 494-3391.

> Very truly yours, JOHN J. SULLIVAN, JR. Planning and Zoning Associate III

for J. ROBERT HAINES Zoning Commissioner

JJSjr/cer

cc: Dennis Rasmussen, County Executive Frank C. Robey, Jr., Administrative Officer J. Timothy Fagan, Deputy Administrative Officer Leslie M. Pitler, Director, Department of Community Development

CPS-008

BALTIMORE COUNTY, MARYLAND Inter-Office Memorandum

TO: Leslie M. Pittler Director, Community Development

November 18, 1988

FROM: J. Robert Haines
Zoning Commissioner

SUBJECT: Hebbville Annex, Petition for Special Exception, Case #89-238X

Thank you for your memorandum of November 9, 1988 regarding Hebbville Annex. Please be advised that the case has been set in for hearing on December 16, 1988 at 11:00 A.M.

cc: Frank C. Robey, Administrative Officer J. Timothy Fagan, Deputy Administrative Officer Timothy T. Harrison, Sr., Director, Central Services

-COMMUNITY SUPPORT SERVICES for the DEA INC.

• Suite 4B 101 West Ridgely Road Lutherville, Maryland 21093

November 2, 1988

Mr. J. Robert Haines, Zoning Commissioner Baltimore County Zoning Office County Office Building, Room 406 Towson, Maryland 21204

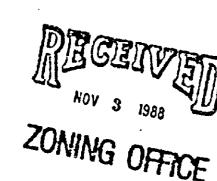
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Please let me know if you require further information. Thank you again for your consideration.

> Very truly yours, Diane T. Hutto Coordinator Special Projects



enclosures Frank Robey Les Pittler UNISTRATIVE OFFICE Tim Harrison PENDENT LIVING SUPPORT PROGRAM (201) 341-3664 (voice)/(201) 341-3667 (tda)

VOCATIONAL SERVICES PROGRAM (S01) 361-1767 (voice & side

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353



Ms. Diane T. Hutto, Coordinator Special Projects Community Support Services for the Deaf, Inc. Suite 4B, 101 West Ridgely Road Lutherville, Maryland 21093

> RE: Hebbville Annex School Item No. 183 2nd Election District

November 3, 1988

I am in receipt of your letter of November 2, 1988 and I have forwarded the petitions for Special Exception to Mr. John J. Sullivan for proper processing.

You have requested a waiver of the \$100 filing fee which is mandated for a petition for Special Exception by Section 501.8 of the Baltimore County Zoning Regulations. The Baltimore County Zoning Regulations do not authorize the Zoning Commissioner to waive filing

The County Administrative Officer is permitted to waive filing fees for Baltimore County volunteer fire, ambulance, or rescue companies. There does not appear to be any authorization to the waiver of fees for non-profit organizations.

I will have this matter set for hearing as soon as the filing fees have been received.

If you have any questions concerning this matter, please feel free to contact me.

Very truly yours, J. Robert Haines J. ROBERT HAINES Zoning Commissioner

JRH/cer

cc: Dennis Rasmussen, County Executive
Frank C. Robey, Jr., Administrative Officer
J. Timothy Fagan, Deputy Administrative Officer
Leslie M. Pitler, Director, Department of Community Development

BALLIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines TO Zoning Commissioner December 6, 1988 Pat Keller, Deputy Director FROM Office of Planning and Zoning

Community Support Services for the Deaf SUBJECT Zoning Petition No. 89-238-X

The applicant is requesting a special exception to establish a community care center. In reference to this request, staff provides the following information: * The proposed re-use of this facility will require a CRG or waiver

• The area is suffering from a lack of landscaping and an absence of plant material on the site. The community has expressed concern regarding the landscaping of the site.

Based upon the analysis conducted and information provided staff recommends approval of the applicant's request subject to the following:

- A landscape plan should be reviewed and approved by the County Landscape Planner.

- A Tree management plan should be reviewed and adopted by the applicant to assist in the long-term planting of the site.

PK/sf



ZONING OFFICE

EX. USE: "RESIDENTIAL" EX. ZONING: DA B.S. BUNBAR GIRTSIDE M.E:8ES EX.CURB) (8307) 73 JUNJYA GOOMHOI'S EDGE EX PAVINGS 111 011 601 801 601 901 501

Baltimore County Department of Public Works Towson, Maryland 21204

January 9, 1990

Gene L. Neff, P.E.

Ms. Diane T. Hutto Coordinator, Special Projects Community Support Services for the Deaf, Inc 3113 Richwood Avenue Baltimore, Maryland 21207 597-8780



RE: Hebbville School Annex

Dear Ms. Hutto:

The County Review Group staff met on January 8, 1990, to consider the plan submitted for review.

The submitted plan was determined to be a "Plan Refinement". The following agencies would like to comment on the plan:

> Zoning Developers Engineering Traffic Engineering

All other agencies present had no comment on the plan.

Please submit eight copies of the plan to be signed and I will distribute the copies to the above agencies. These agencies will review the plan and will submit comments to me within the next two weeks. If any agency comment requires a plan change by you, your office will be contacted to pick up the comments at this office.

Also please note that a letter needs to be submitted to Mr. Haines, the Zoning Commissioner, indicating that the new plan is within the spirit and intent of the original Zoning case.

If you have any questions about this procedure, do not hesitate to call Peter A. Paff at 887-3340.

Sincerely.

David L. Thomas, P.E. Assistant Chief Bureau of Public Services

DLT:PAP/s cc: CRG Staff file

17-444 B7-238-X

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Al Wirth - SWM

Bob Bowling - Dev. Eng.

Frank Fisher - Current Planning

Rahim Famili - Traffic Engineering

Larry Pilson - DEPRM

Dave Flowers - Critical Areas

Carl Richards - Zoning

Capt. Kelly - Fire Department Pat Kincer - Rec. & Parks

Larry Brocato - SHA

Rocky Powell - EIRS

Peter A. Paff

Bureau of Public Services

Previously Approved C.R.G. - Refinement Mtol of 1/8/90

Helbuille School Amney To John L.
2/8/90

Please review the attached for concurrance with current development regulations to allow for an extension of previously approved C.R.G. plan. Kindly return this cover letter with your comments and the attached print by 2/24/90

SEE OTHER SIDE FOR COMMENTS

Attachment cc: File

C.R.G. PLAN REFINEMENT

Plan Date: Comments Dues: 2/26/90

HEBBVILLE SCHOOL ANNEX

Location: NE corner of Richwood and Elmore Avenue Zoning Case #89-238-X

Though the plan appears to be in general conformance with the Order and restrictions as set forth in Zoning Case #89-238-X, the following comments must be addressed prior to zoning approval:

- 1. As stated in the letter dated 1/9/90 from Mr. David Thomas of the Department of Public Works to Ms. Diane T. Hutto, a letter seeking the approval of the new plan (along with a red-lined plan copy noting all changes) must be submitted to J. Robert Haines, Zoning Commissioner, for a determination that the new plan is within the spirit and intent of the original zoning case. A copy of this response must be included on the plan and in the zoning case file.
- 2. Restriction #3 required that a landscape plan be approved by the Baltimore County Landscape Planner and then submitted to the Zoning Commissioner for approval and then become a permanent part of the record and file.
- 3. Note on the plan that all paving will be of a durable, dustless surface (name type) and permanently striped and show a typical aisle and parking space dimension.

PLANNING & ZONING ASSOCIATE III

JLL:sci